

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
JANUARY 27, 2009**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, January 27, 2009, in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	Present
Board member Thomas R. Schmidt	Present
Board member Ambrose "Butch" Schitter	Present

Also present were Police Chief Douglas Tarvin, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Building Commissioner David Seger, Personnel/Safety Director Charles Schneider, Fire Chief Kenneth Hochgesang, City Attorney Sandra Hemmerlein, and Clerk-Treasurer Juanita S. Boehm.

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the board members must be present. All of the board members are present; therefore, there is a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on January 13, 2009. A **motion** was made by Ambrose "Butch" Schitter and seconded by Mayor Schmitt to approve the minutes as published. Motion carried 3-0.

UNIFORM CONFLICT OF INTEREST DISCLOSURE STATEMENTS

Mayor Schmitt presented his Conflict of Interest Disclosure Statement. Schmitt said he is an advisory board member for GIE Insurance where the City of Jasper obtains its liability insurance.

A **motion** was made by Ambrose 'Butch' Schitter and seconded by Thomas Schmidt to accept the Conflict of Interest Disclosure Statement submitted by William J. Schmitt. Mayor Schmitt recused himself from voting after which the motion carried 2-0.

Mayor Schmitt then presented a Conflict of Interest Disclosure Statement submitted by Thomas R. Schmidt. Schmidt is an officer of Schmidt Contracting, Inc. a plumbing, heating, and air conditioning business that bids on various City projects.

A **motion** was made by Ambrose 'Butch' Schitter and seconded by Mayor Schmitt to accept the Conflict of Interest Disclosure Statement submitted by Thomas Schmidt. Motion carried 2-0. Thomas Schmidt recused himself.

ENCROACHMENT AGREEMENT

City Engineer Chad Hurm along with REC General Manager Don Book asked permission to encroach on the City's easement by placing a fence about six feet south of the north property line where they recently built a new building at 1400 Energy Drive.

Book said to protect the pole yard, wire, and transformer material from theft and for insurance purposes the area needs to be fenced in.

City Attorney Sandra Hemmerlein reviewed parts of the agreement such as if any issues come up in the future and the fence would need to be moved, REC would have to take care of at their own expense.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve encroaching onto this easement subject to REC signing and recording an encroachment agreement. Motion carried 3-0.

LUCKY RIDERS MOTORCYCLE RIDING CLUB

Don Brown, president of the Lucky Riders Motorcycle Club, said at the December 23, 2008 meeting, the Club received approval in general concept to use the Dave Buehler Plaza area on May 2, 2009 with May 16, 2009 as the rain date in order to host their first annual bike show. Brown was also asked to come back before the Board after all the details are worked out.

Brown said since that meeting he has been in contact with the city attorney and the waiver has been revised, he worked with the police chief and everything is okay, Judy Brosmer is in charge of the food, and the fire chief said if there is no deep frying, then there is not a problem. He also contacted Kunkel Insurance and acquired a \$1,000,000.00 insurance policy that lists the City of Jasper as an additional insured.

Mayor Schmitt said due to a scheduling conflict, the rain date will have to be moved from May 16 to May 17.

A **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to approve the use of Buehler Plaza and surrounding area for the Motorcycle Show on May 2, 2009, with a rain date of May 17, 2009, on condition entrants sign a waiver and the Club provides a certificate of insurance. Motion carried 3-0.

LIVE BURN

Jasper Volunteer Firefighter Adam Vaal, representing the Dubois County Fire Trainers and the Indiana Fire Instructors Association, asked permission to hold a live fire exercise on Sunday, March 29, 2009 on a mobile home located in the City limits of Jasper. The mobile home will be located in the Wind Song Addition on the east side of Portersville Road. This property is owned by Bob Durcholz.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to allow the Fire Department, the Dubois County Fire Trainers, and the Indiana Fire Instructors Association to have a live burn within the City limits of Jasper on March 29, 2009 in the location described. Motion carried 3-0.

STREET DEPARTMENT REPORTS

Street Commissioner Raymond Eckerle presented to the board the following reports:
Jasper Street Department 2008 Year End Activity Report

Jasper Street Department 2009 Projected Activities

Road salt. Eckerle stated that the road salt supply situation has not changed since the last report and the salt is being used very sparingly. He also said there is no indication about the salt supply for next year. Mayor Schmitt said the City needs to stay in touch with the Vincennes District because we may be able to piggy back with them off the state bid.

Adopt-A-Street Program. Eckerle reported there are eleven participants in the adopt-a-street program. Reminder letters will be sent to let participants know to clean their assigned areas four times a year.

Employee retiring. Mayor Schmitt asked Eckerle if Jerry Wilz is retiring at the end of this month. Eckerle said Wilz will work until the end of January but officially retire at the end of February. Mayor Schmitt stated that he was a fine employee and the elderly folks looked forward to him coming. Eckerle stated with only three days left to work he is still hanging on the back of the trash truck today.

FEMA REIMBURSEMENT

Personnel/Safety Director Charles Schneider reported that one of two FEMA reimbursement checks from the September wind storm has been received. The City received \$99,986.67. The portion of administrative costs for \$1,333.16 has been approved by the State but has not been received. Schneider thanked Jerry Schitter and Raymond Eckerle for gathering information.

VEHICLE QUOTES

Personnel/Safety Charles Schneider asked permission to seek quotes for a vehicle to replace a 1997 Ford Taurus.

There was some discussion about the fact the 2009 budget has not been certified by the State and the Council will still need to approve the final property tax rate. There was also some discussion about how long a dealer would hold a price if quotes were obtained now.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to start the process and wait to see if money is available and work with the clerk-treasurer for the time line. Motion carried 3-0.

DUMPSTER ON STREET

Building Commissioner Dave Seger said the City received a request from Kevin and Lisa Arvesen to place a dumpster at the dead end of 20th Street near their residence at 1919 Cobblestone Road for one week in order to remove an existing roof.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to approve the request to place a trash dumpster at the dead end of 20th Street when weather permits them to have a roof removed; and have the area policed after the work is done so the area is free of debris and nails. Motion carried 3-0.

STORM WATER COORDINATOR

City Engineer Chad Hurm introduced Chad Mundy who has taken the position of Storm Water Coordinator as of Monday. Mayor Schmitt welcomed him aboard and knows he will do his best.

SPEED STUDIES

City Engineer Chad Hurm said two speed studies were conducted by the engineering, street, and police departments.

The first study was conducted on the area of 400 West, 150 South and 350 West between Hwy 56 and Division Road. Certain sections of the road have hidden drives, ninety-degree turns, and hills with limited sight distance. Hurm recommended that the speed limit on those sections of 400 West a distance of 2700 feet north of Division Road, 150 South and 350 West to the intersection with Hwy 56 located within the Jasper City Limits be posted at 35 miles per hour due to hidden hazards.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to accept this recommendation and forward onto the City Council to place in an ordinance the sections of 400 West a distance of 2700 feet north of Division Road, 150 South and 350 West to the intersection with Hwy 56 located within the Jasper City Limits be posted at 35 miles per hour. Motion passed 3-0.

The second study was conducted on the area of 47th Street between U.S.231 and Portersville Road. It was concluded that the 85th percentile speed of vehicles along 47th Street is 49 miles per hour. Hurm recommended the speed limit on 47th Street between U.S. 231 and Portersville Road be posted at 45 miles per hour.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve and pass the recommendation onto the Council to be placed in the ordinance. Motion passed 3-0.

UNITED LABORATORIES

Fire Chief Kenneth Hochgesang asked permission to use United Laboratories, Chicago, IL, to do the ladder testing and the testing of two aerial trucks. He further stated the testing is required annually. It takes 1 day for each truck and 6-7 hours for ladder trucks. They would be in the area for three weeks and they have a mechanic available if there are any issues that need to be taken care of. Last year the cost was \$850.00 and this year the cost is \$1,150.00.

Mayor Schmitt asked if others do such testing whereby we could get different pricing. Hochgesang said WSF is the only other one who tests but UL is not for profit.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to have the fire department go ahead and utilize United Laboratories for the annual ladder and aerial truck testing. Motion carried 3-0.

FIRE DEPARTMENT REPORT

Fire Chief Kenneth Hochgesang presented to the board for its review the December 2008 fire department vehicle fuel and maintenance report.

POLICE DEPARTMENT REPORTS

Police Chief Douglas Tarvin presented to the board for its review the following police department reports:

December 2008 Vehicle Operation Report

Five year Comparison Report from 2004 through 2008

UNIVERSAL DESIGN SUBCONTRACTOR AGREEMENT

Mayor Schmitt said construction oversight is a requirement of the Transportation Enhancement grant the City received for the Mill project. The City is the oversight engineer but we want to subcontract with Universal Design. Mayor Schmitt asked the Board to approve the agreement between the City of Jasper and Universal Design Associates Inc that states such things as the hourly rate and the general responsibilities of each party. Schmitt said Universal Design will report to City Engineer Chad Hurm and Hurm reports to INDOT.

City Attorney Sandra Hemmerlein said the estimated compensation is \$70,000. INDOT said the effective date of the agreement can be at the beginning of the project which is about September 1, 2008.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to enter into an agreement with Universal Design for an oversight engineer for the Mill Project. Motion carried 3-0.

Mayor Schmitt stated that any costs not covered by INDOT are covered by ROJAC and passed through the City.

OTHER COMMENTS

Adopt-a-street. Street Commissioner Raymond Eckerle said he would be remiss if he did not say the reason the Adopt-A-Street Program is working so well is because Administrative Assistant Jill Cravener had researched this and has taken it on 100%. She is the driving force behind the program and has done an outstanding job for the City. Mayor Schmitt said to pass on the praises to her.

Staging area. Mayor Schmitt reported that the Mill project construction is a timber frame and the timbers are pre-cut and assembled. Parking spaces are being used for the staging area.

EMA update. Police Chief Douglas Tarvin said EMA received word about a 95 million dollar grant and Dubois County is involved but the EMA Director made a mistake on the survey. Last Thursday, City Department Heads were contacted to complete a survey. The surveys have been completed and grant funds applied for.

ADJOURNMENT. There being no further business to come before the board, a **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 9:26 a.m.

The minutes were hereby approved _____ with X without corrections or clarification this 10th day of February, 2009.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress Recording Secretary